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FACSIMILE COVER SHEET

PETITIONS OFFICE

TO: Ms. Bianca Chase

FAX NUMBER: (703) 308-6916

COMPANY: U.S. Patent and Trademark Office
TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 31

FROM: MILTON WOLSON

DATE: March 13, 2002

SUBJECT: LEH-33

MESSAGE:

Should you have problems receiving this facsimile transmission, please contact Ms. Isabel Truyol at 212-986-7410.

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LAW OFFICES
MALINA & WOLSON

PATENT, TRADEMARK, COPYRIGHT
& UNFAIR COMPETITION LAW

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March 13, 2002

VIA FACSIMILE - (703) 308-6916

Ms. Bianca Chase
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Ms. Chase:

U.S. Pat. Appln. No. 09/875,542
"METATARSAL GUARD"
Our File: LEH-33

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PETITION'S OFFICE

This is with reference to your voice message of March 12, 2002 in which you advised that the U.S.P.T.O. computer records do not indicate receipt of the Rule 147(b) Petition that was filed with respect to the subject application.

Pursuant to your request, to permit you to act upon the Petition, I enclose the following documents:

- Utility Patent Application Transmittal
- Application for United States Patent Pursuant to 37 CFR 1.47(b)
Petition, Declaration and Power of Attorney
- Declaration of Richard Jones in Support of Petition to File Application
for United States Patent Pursuant to 37 CFR 1.47(b)
- Declaration of Milton Wolson in Support of Petition to File Application
for United States Patent Pursuant to 37 CFR 1.47(b)

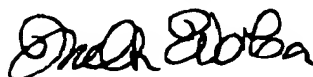
MALINA & WOLSON

Ms. Bianca Chase
March 13, 2002
Page 2

Please advise if any further information is required.

Yours truly,

MALINA & WOLSON

A handwritten signature in black ink, appearing to read "Milton Wolson", written in a cursive style.

Milton Wolson

MW:jg
encs.

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0037

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	LEH-33
First Inventor	R. Peterson
Title	Metatarsal Guard
Express Mail Label No.	EL549543981US

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PATENT OFFICE

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 8]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]
5. Oath or Declaration [Total Pages 1]
 - a. ☒ Newly executed (original or copy) - by assignee
 - b. ☐ Copy from a prior application (37 CFR 1.83 (d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.78

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other 37 CFR 1.47 (b) Petition

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No. _____

Prior application information:

Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☐ Customer Number or Bar Code Labelor ☒ Correspondence address below

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Name (Print/Type)	Milton Wolson	Registration No. (Attorney/Agent)	22,620
Signature	<i>Milton Wolson</i>	Date	June 6, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.